

REMARKS

Claims 1-51 are now pending in the present application. Reconsideration is respectfully requested in light of the amendments to the claims and the arguments set forth herein.

The allowance of claims 27-37 is gratefully acknowledged, as is the allowability of claims 3-7, 17, 41, 44 and 49.

OBJECTION TO THE SPECIFICATION:

The specification was objected to failing to provide proper antecedent basis for claimed subject matter. Specifically, it is argued that there is no description of the term "flangeless hem" as it appears in claims 38 and 46. The term "flangeless hem" has been deleted from claims 38 and 46, however, Applicant notes that this term was included in the originally-filed application within claims 38 and 46.

OBJECTIONS TO THE CLAIMS:

Claims 9 and 22 have been amended in accordance with the objections as set forth by the Examiner.

REJECTIONS UNDER 35 U.S.C. §112:

Claim 43 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 43 has been amended to more clearly define the elements as set forth therein. Support for this amendment can be found in paragraph 25 and Fig. 5 of the present application.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1, 2, 8, 11-13, 15, 16, 18-21, 24 and 25 were rejected under 35 U.S.C. §102(b) as being anticipated by Kintsler, U.S. Patent No. 6,406,100. As amended, claim 1 defines a wheel assembly that comprises, among other things, a wheel, a ring-shaped flange member formed separately from the wheel, and a wheel cladding member having a central portion and an outer periphery, wherein the outer periphery includes a circumferentially-extending channel that receives the flange member therein. Kintsler does not include a ring-shaped flange member that is formed separately from the wheel, and a wheel cladding member having an outer periphery that includes a circumferentially-extending channel that receives the flange member therein. Kintsler, discloses a second wheel cover 96 having an outer portion 94 received within a groove 92 of the bead seat retaining flange 97, and in no way discloses a flange member received within a circumferentially-extending channel of a cladding member. Therefore, Kintsler cannot anticipate that which is defined in claim 1.

Claims 1, 2, 12, 15, 16, 18, 19, 21 and 23-26 were rejected under 35 U.S.C. §102 as being anticipated by Tanghetti, U.S. Patent No. 6,481,804. The Examiner argues that the cladding, as disclosed by Tanghetti, includes a ring-shaped flange at an outer edge thereof and a lip that extends into a groove on the rim. However, the wheel assembly as defined in claim 1 includes, among things, a wheel, a ring-shaped flange member formed separately from the wheel, and a wheel cladding member having an outer periphery including a circumferentially-extending channel that receives the flange member therein. Tanghetti, as argued by the Examiner, discloses a cladding having a

lip that is received within the groove of a rim, wherein the rim is part of the wheel. Therefore, Tanghetti does not anticipate that which is defined in claim 1.

Claims 1, 8-12, 15, 18, 19 and 21-24 were rejected under 35 U.S.C. §102(b) as being anticipated by Heck et al., U.S. Patent No. 5,595,423. Similar to that as discussed above with respect to the Tanghetti reference, Heck discloses a wheel cover having a formed outer end that is received within a groove formed within a peripheral end of a wheel disk, and not a ring-shaped flange member received within a circumferentially-extending channel of a wheel cladding as defined in claim 1. Therefore, Heck et al. cannot anticipate that which is defined in claim 1.

Claims 1, 8, 11-15, 18-21 and 23-26 were rejected under 35 U.S.C. §102(b) as being anticipated by Eikhoff, U.S. Patent No. 5,829,843. Similar as to discussed above with respect to the Tanghetti and Heck et al. references, the wheel appliqué and lock as disclosed by Eikhoff includes a rim flange of a wheel forming a rim shoulder that receives a flange portion of a appliqué or cladding therein, and not a wheel cladding member having an outer periphery that includes a circumferentially-extending channel that receives a flange member therein, wherein the flange member is formed separately from a wheel. Therefore, Eikhoff '843 cannot anticipate that which is defined in claim 1.

Accordingly, claim 1 is in condition for allowance. Claims 2-14 are dependent from claim 1 which is in condition for allowance for the reasons as noted above, and are therefore also in condition for allowance.

Claim 15 defines elements similar to those as set forth in claim 1, as argued above, and is therefore also in condition for allowance. Claims 16-26 are dependent

from claim 15 which is in condition for allowance, as noted above, and are therefore also in condition for allowance.

Claims 38, 42, 45, 46 and 51 were rejected under 35 U.S.C. §102(b) as being anticipated by Burger, U.S. Patent No. 5,031,965. As amended, claim 1 defines a wheel assembly that comprises, among other things, a wheel, and a wheel cladding member having a central portion and an outer periphery complementary to the central portion and a lip portion complementary to the outer periphery, wherein the lip portion folds back substantially against the outer periphery such that the outer periphery and the lip portion are substantially co-planar. This substantially co-planar configuration of the outer periphery and the lip portion of the wheel cladding provide a "euro-style" aesthetic to the wheel by eliminating any sort of bead flange for the wheel and corresponding groove or channel to receive the bead flange therein. Burger does not disclose that which is defined in claim 38, and therefore cannot anticipate the same.

Claims 38, 39, 40, 42, 45-48, 50 and 51 were rejected under 35 U.S.C. §102(b) as being anticipated by Lyon. Similar to as noted above with respect to the Burger reference, Lyon fails to disclose a wheel cladding member having a central portion and an outer periphery complementary to the central portion and a lip portion complementary to the outer periphery, wherein the lip portion folds back substantially against the outer periphery such that the outer periphery and the lip portion are substantially co-planar. Therefore, Lyon cannot anticipate that which is defined in claim 38.

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Accordingly, claim 38 is in condition for allowance. Claims 39-45 are dependent from claim 38 which is in condition for allowance, for the reasons as noted above, and are therefore also in condition for allowance.

Claim 46 defines elements similar to those defined in claim 38, as argued above, and is therefore also in condition for allowance. Claims 47-51 are dependent from claim 46 which is in condition for allowance, as noted above, and are therefore also in condition for allowance.

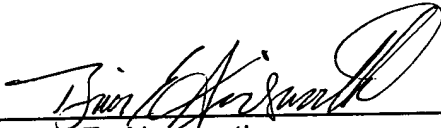
Accordingly, claims 1-51 are in condition for allowance, and a Notice of Allowability is earnestly solicited.

Respectfully submitted,

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